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STATE OF DELAWARE
BOARD OF MASSAGE AND BODYWORK

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PUBLIC MEETING MINUTES: **Board of Massage and Bodywork**

MEETING DATE AND TIME: **Thursday, March 19, 2015 at 1:30 p.m.**

PLACE: 861 Silver Lake Boulevard, Dover, Delaware
 Conference Room B, second floor Cannon Building

MINUTES APPROVED: April 16, 2015

MEMBERS PRESENT

Sandra Jachimowski, Professional Member, President
Holly Overmyer, Professional Member, Vice President
Jermaine Cannon, Professional Member
Kathy Sherwin, Public Member
Frank Beebe, Public Member
Rachel Dunning, Public Member

MEMBERS ABSENT

DIVISION STAFF/DEPUTY ATTORNEY GENERAL/COURT REPORTER

Eileen Kelly, Deputy Attorney General
Maggie Strauss, Administrative Specialist II
David Mangler, Division Director

OTHERS PRESENT

Sharon Gamble
Ron Clark
Aimee Moulder

CALL TO ORDER

Ms. Jachimowski called the meeting to order at 1:40p.

REVIEW OF MINUTES

The Board reviewed the minutes from the February 19, 2015 meeting. A motion was made by Ms. Dunning, second Mr. Cannon by to approve the minutes as presented. The motion carried unanimously.

UNFINISHED BUSINESS

Evaluation of Modalities – continued

Ms. Jachimowski started the discussion by stating that she reviewed the list from last month and her opinion was to separate massage modalities from bodywork modalities. She chose clinical aroma therapy, reflexology, Rolfing and Reiki as the modalities she would most like to separate. Mr. Mangler asked if they would also consider Hellerwork as one of the modalities to separate out. Hellerwork is similar to Rolfing in that it has its own school(s), curriculum, requirements, etc. Ms. Overmyer agreed that these modalities need to be regulated, just not as a CMT or LMT. The Board was in agreement with the selected modalities. They are only going to practice that specific modality and therefore their license should indicate such.

Ms. Kelly stated that this would require a statutory language change because massage & bodywork are not separated out in the current law. She also suggested exempting the 'no touch' modalities, with which the Board agreed. MS. Kelly will draft language for the Board to review at the next meeting.

NEW BUSINESS

Ratification of Massage Technician Certifications

A motion was made by Ms. Dunning, second by Mr. Cannon, to approve the ratification of the Massage Technician applications of: Jessica M. Young, Kayla R. Price and Marcia Susan Aerenson. The motion carried unanimously.

Ratification of License Massage Therapists

A motion was made by Ms. Dunning, second by Mr. Cannon, to approve the ratification of the Massage Therapist Certifications of: Vivian Queres Willey, Orline Lynthia Houston, Bronte' LaVerne Wilson, Melinda Ruth Ward, Kristie Bradshaw Davis, Kimberly A. Timmons and Marcia L. Mackey. The motion carried unanimously.

Complaint Status

20-05-14 – Attorney General
20-10-14 – Attorney General
20-12-14 – Attorney General
20-15-14 – Investigative Unit
20-16-14 – Attorney General
20-01-15 – Investigative Unit
20-02-15 – Investigative Unit

Application(s) for DAG Review

Under advisement from Ms. Kelly, a motion was made by Ms. Dunning, second by Mr. Cannon to approve the massage Therapist application of Corey Ryan. The motion carried unanimously.

Miscellaneous Discussion & Review

A motion was made by Ms. Sherwin, second by Ms. Dunning to add 'establishment licensure' to the agenda. The motion carried unanimously.

In connection with the discussion pertaining to possible statutory revisions for the issue of modalities, the Board discussed whether to pursue licensure of establishments, which would also require a statutory change. The Board addressed its role with respect to criminal activity occurring at "massage" establishments. Mr. Mangler explained that while licensure of establishments would permit Division investigators to go into the establishments, their authority would be limited to checking for individual licenses. Any criminal activity, such as prostitution or human trafficking,

would be beyond the authority of the Board and would be a matter for law enforcement. Ms. Sherwin indicated that she thought establishment licensure was a bit over-reaching and over regulating; what would it accomplish? And does it really enhance public safety? Ms. Overmyer also voiced her concern over the complexity of the license because so many licensees practice out-calls, etc. and are not affiliated with establishments.

A motion was made by Ms. Sherwin, second by Ms. Dunning to not pursue the topic of establishment licensure at this time due to the concerns expressed above. The motion carried unanimously.

CORRESPONDENCE

Ms. Jachimowski read a letter from Ms. Eckery which asked the Board to consider "orthopedic massage to be considered as one of the modalities listed as one of the many forms of massage". The Board agreed that the modality will fall under the "...not limited to..." definition of massage for now, but the Board will keep this in mind as they work on changing the language as it is currently written in the regulations and statute.

OTHER BUSINESS (for discussion only)

Ms. Kelly advised the Board that there was an emergency suspension placed on the license of Dazhong Wang. The suspension expires after 60 days, but that a hearing in the matter has been scheduled with the Administrative Hearing Unit. Once the hearing has concluded, a recommendation will come before the Board for consideration.

PUBLIC COMMENT

Ms. Moulder expressed to the Board how pleased she was that they were working so hard to finally separate massage from bodywork. Ms. Moulder again voiced her concern over the length of time it has taken to discipline licensees. Ms. Kelly explained the steps and time involved in the hearing process. MS. Dunning also provided information on the biennial renewal and audit process.

Ms. Gamble thanked the Board for their continued hardwork.

NEXT SCHEDULED MEETING

The next meeting is scheduled for April 16, 2015 at 1:30 p.m.

ADJOURNMENT

There being no further business, a motion was made by Mr. Beebe, second by Mr. Cannon, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 2:30p.

Respectfully submitted,



Maggie Strauss
Administrative Specialist II